



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

STATE ENVIRONMENTAL POLICY ACT DETERMINATION OF NONSIGNIFICANCE

January 07, 2025

Lead Agency: Department of Ecology, Solid Waste Management Program, Policy Section, Organics Management and Food Center

Agency Contact: Patrick Merscher, 564-233-1065, Patrick.Merscher@ecy.wa.gov

Permit or Agency File Number: N/A

Description of proposal:

Ecology drafted three model ordinances with the help of an Advisory Committee and the Office of the Attorney General that would disincentivize the disposal of organic materials in the landfill, per RCW 70A.207.030. A State Environmental Policy Act (SEPA) review of the model ordinances is required, and if local jurisdictions adopt the model ordinance, they do not need to get a local SEPA review. Adopting or using the model ordinances is optional. Their purpose is to support local jurisdictions implement the Organics Management Law and take other actions to divert organic waste from the landfill by providing draft language.

Landfills are a significant source of methane emissions, a potent greenhouse gas. According to the U.S. Environmental Protection Agency, municipal solid waste landfills are the third largest contributor to methane emissions in the United States. Organic materials in landfills drive methane generation, and these materials could potentially be diverted for a higher and better use, including composting, that would create environmental benefits and economic opportunities.

Nearly 40% of the materials in Washington State landfills are organic and could be considered recoverable. The Washington legislature has found that “landfills are a significant source of emissions of methane...and that it will be beneficial to improve how organic materials and their wastes are reduced, managed, incentivized, and regulated” (RCW 70A.205.007).

The state established a goal to reduce the landfill disposal of organic materials by 75% (compared to 2015 levels) by the year 2030.

Two of the model ordinances are related to permits granted by cities or counties.

Special events are activities that generate waste, with the waste made and left by attendees recognized as the most significant impact of special events.¹ Some research suggests special

¹ Martinho, G., Gomes, A., Ramos, M., Santos, P., Gonçalves, G., Fonseca, M., and Pires, A. (2018). Solid waste prevention and management at green festivals: A case study of the Andanças Festival, Portugal. *Waste Management*, 71, 10-18. doi: 10.1016/j.wasman.2017.10.020



event attendees generate about 4.2 pounds of solid waste per day including food waste² when food is served at the event. The special event model ordinance creates a local Center for Events; requires a waste reduction, diversion, and management plan for special events; requires a waste management training for event organizers; and creates a list of local waste prevention and reduction specialists.

While multi-family residences are not included in RCW 70A.205.540 nor RCW 70A.205.545, multi-family housing generates significant organic materials. Sustainable development includes new buildings designed for organic materials collection as part of permit approval. The building design ordinance requires all new building permit applications to provide an assessment of the anticipated waste to be created at the final site. If there is expected to be more than 0.25 cubic yards of organic material produced (such as in a residential use property), then designs would need to include areas for the management, storage, and collection of organic and other solid waste for a permit to be approved.

The other model ordinance is for mandatory curbside organics collection for residents and businesses in certain areas of the state per RCWs 70A.205.540 and .545. Washington's Organic Management Laws require some businesses to arrange for organics collection (RCW 70A.205.545) and for local jurisdictions to provide year-round organics collection service to single-family and certain non-residential customers by April 1, 2027. By April 1, 2030, this organics collection service must be non-elective (waivers are proposed in the ordinance) and include collecting food waste (RCW 70A.205.540).

Location of proposal: Statewide. Organics collection service is mandatory in the Business Organics Management Area (BOMA) and the Organics Recovery Collection Area (ORCA). (Maps included in DNS Worksheet and Environmental Checklist). Adopting the model ordinances is optional for local governments.

Applicant/Proponent: Washington State Department of Ecology, Solid Waste Management Program, PO Box 7600, Olympia, WA 98504-7600. Program reception phone: 360-407-6900.

Determination: Ecology has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). We have reviewed the attached Environmental Checklist and Optional Worksheet for Nonproject Review. This is available at: <https://ecology.wa.gov/waste-toxics/reducing-recycling-waste/organics-and-food-waste/2022-organics-management-law/organics-management-for-local-governments/organics-model-ordinances>

This determination is based on the following findings and conclusions:

The model ordinances are set to improve environmental conditions and fight against climate change by removing organic materials from the landfill and their associated methane emissions. The EPA's WARM model considers additional trucks on the roadway and still shows a net reduction in emissions from organics diversion. The model ordinance topics utilize existing infrastructure and organics management facilities (i.e., new development is outside the scope of this project). Additionally, building and solid waste permits are issued by local governments.

² Zhang, X., Shao, X., Jeong, E., and Olson, E. (2021). I am worth more than you think I am: Investigating the effects of upcycling on event attendees' recycling intention. *International Journal of Hospitality Management*, 94, 10288. doi: 10.1016/j.ijhm.2021.102888



These model ordinances would add permit requirements and considerations for local governments to include in their existing processes.

This DNS is issued under WAC 197-11-340. The comment period for this DNS corresponds with the comment period on adopting the model ordinances. Ecology will consider all comments about the environmental impacts of the proposal that are received prior to January 28, 2025.

Send comments about potential environmental impacts of our Determination of Nonsignificance and the model ordinance online through [the public comment page](#). We must receive comments by 11:59 p.m. on Jan. 28, 2025. Mail comments to:

Patrick Merscher
Washington Department of Ecology – SWM
PO Box 47600
Olympia, WA 98504-7600

Written comments must be postmarked by Jan. 28, 2025.

Responsible Official:

Chery Sullivan
Section Manager, Policy Section
Department of Ecology, Solid Waste Management Program
P.O. Box 47600
Olympia, WA 98504-7600
360-485-2724

Signature **Chery Sullivan** _____

Date **December 06, 2024** _____

This SEPA decision may be appealed in conjunction with an appeal on the underlying agency action. In this case, adopting the model ordinances may be appealed by local governments. Contact the Responsible Official (Chery Sullivan) before January 30, 2025 with a clear explanation of the reason behind the appeal. Note: Local governments are not required to adopt the model ordinance, but may still need to comply with Washington’s Organics Management Law depending on their location.

